

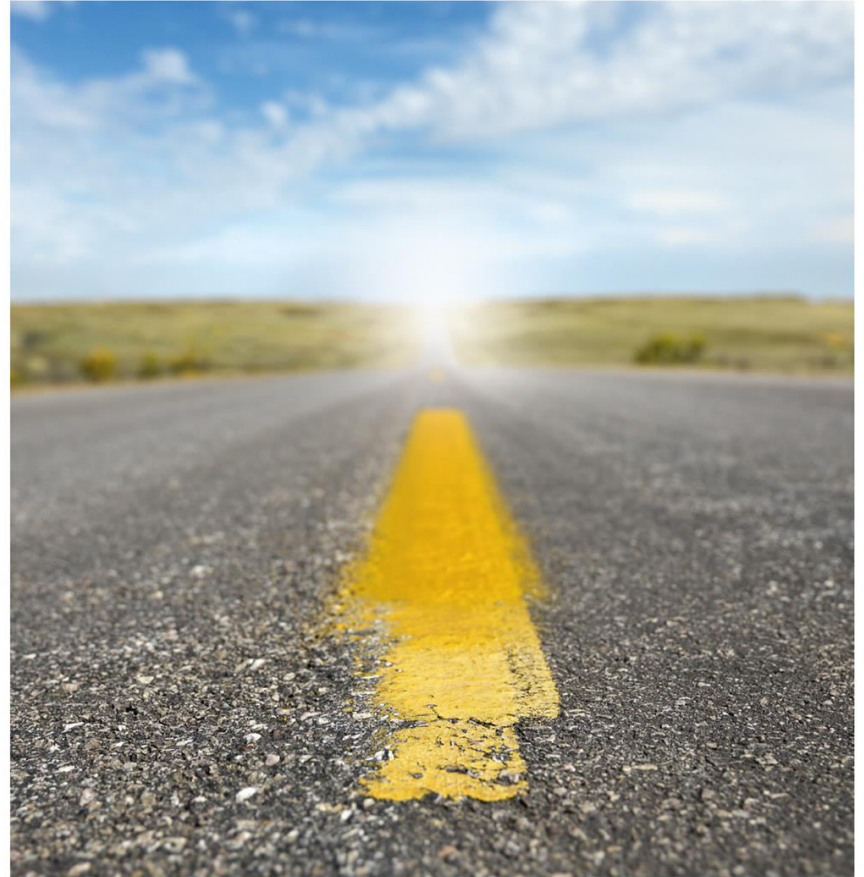
Injury Schemes Seminar

Road to Recovery



**Actuaries
Institute**

8-10 November 2015 • Hilton • Adelaide





Institutional Child Sexual Abuse: The Role & Impact of Redress

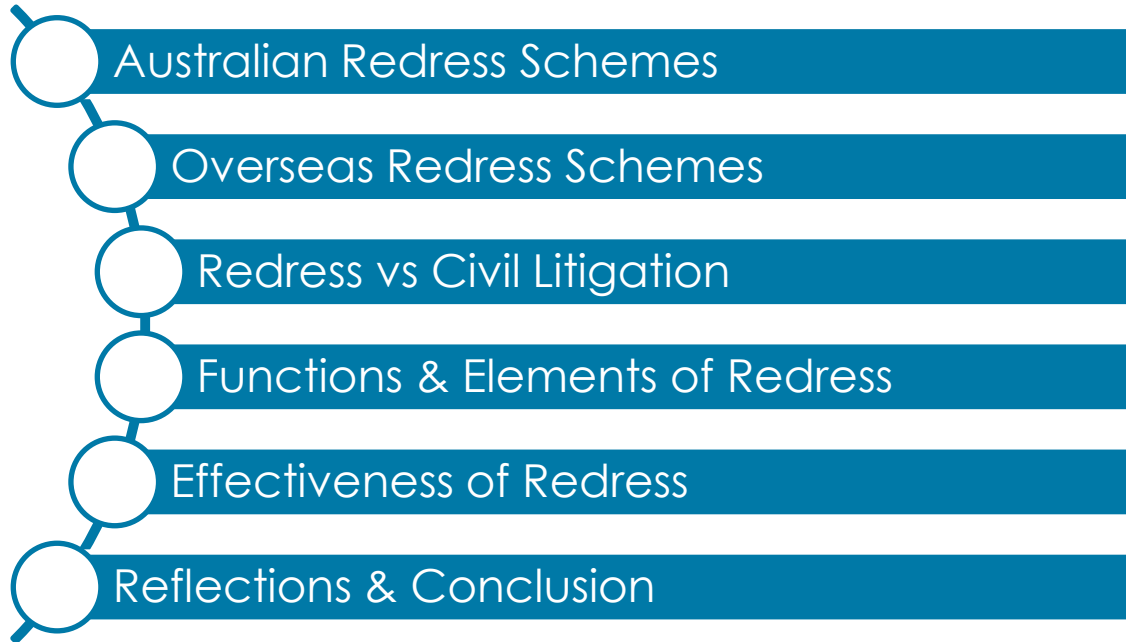
Estelle Pearson, Justin Portelli

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*This presentation has been prepared for the Actuaries Institute 2015
Injury Schemes Seminar.*

*The Institute Council wishes it to be understood that opinions put forward
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The Role & Impact of Redress



For assistance and support contact

- Lifeline 131 114
- 1800 Respect
1800 737 732
- MensLine Australia
1300 78 99 78

Australian Redress Schemes

- Past and current schemes cover around 12% of estimated participants in a national redress scheme for institutional sexual abuse.
- Past schemes have covered all abuse and neglect, not only sexual abuse
- Benefits have included monetary payments, limited counselling, pastoral care, apologies, some ongoing support.

Scheme	Payments Made (Sexual Abuse)	Average Payment*	Maximum Payment
Queensland ex gratia	2,600	\$13,300	\$40,000
Redress WA	2,891	\$27,600	\$45,000
Tasmanian Abuse in Care	780	\$29,700	\$60,000
Towards Healing	881	\$48,300	n/a
Melbourne Response	310	\$38,800	\$75,000
Salvation Army Procedures	506	\$51,000	n/a

*Queensland and Tasmanian average payments shown include payments covering abuse other than sexual abuse.

Overseas Redress Schemes

- Irish Scheme had 2.5 times the level of claims estimated after 1 year of operation and cost 9 times the original contribution by the church
- Canadian schemes were often negotiated by Government and survivor representatives – broad range of benefits
- Netherlands Triptych Restorative Mediation Approach separated mediation and compensation

Scheme*	Payments Made (All forms of Abuse)	Average Payment (\$AUD)	Maximum Payment (\$AUD)
Irish Residential Redress	15,547	\$96,147	\$461,500
Grandview Agreement	320	\$40,100	\$63,800
Nova Scotia Program	1,101	\$30,400	\$127,700
Indian Residential Schools	18,191	\$106,900	\$457,400
Triptych Mediation Approach	128	\$44,600	\$153,800

*All numbers of payments and average payments shown for overseas schemes include payments covering abuse other than sexual abuse.

Redress vs Civil Litigation

Burden of
Proof

Statute of
Limitations

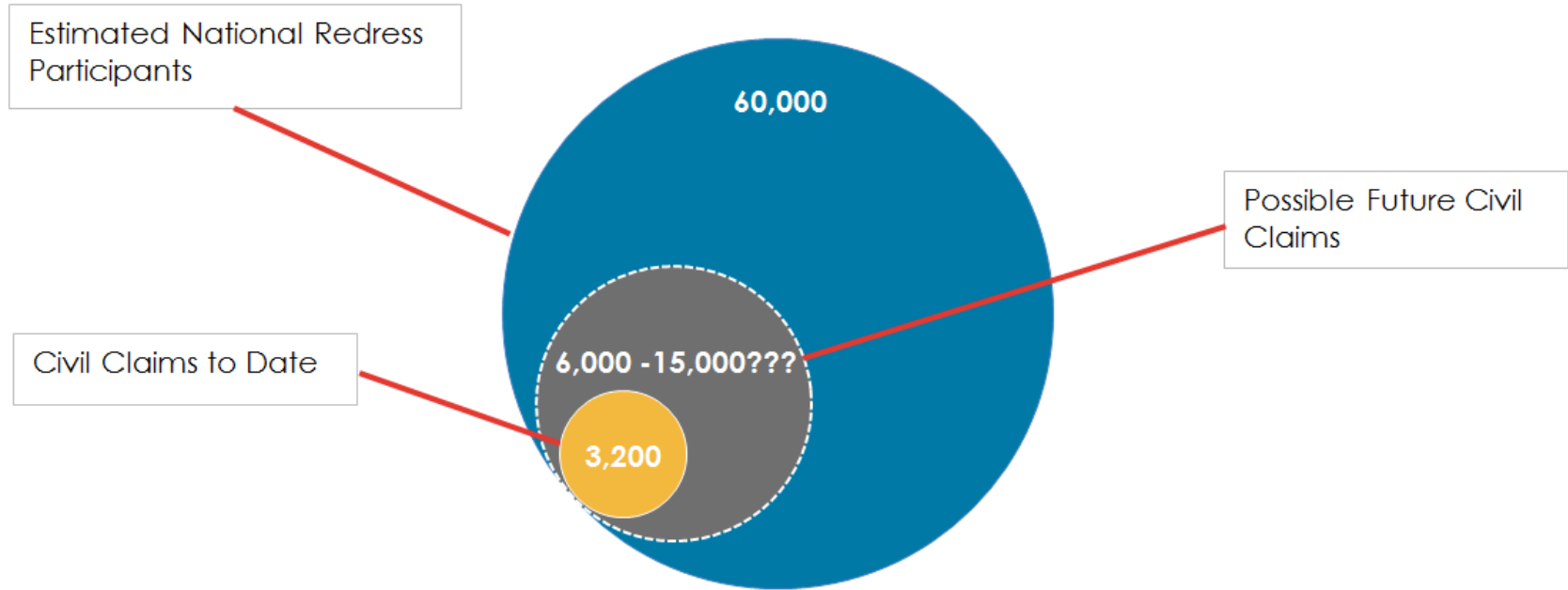
Issues of
Legal
Personality

Cost

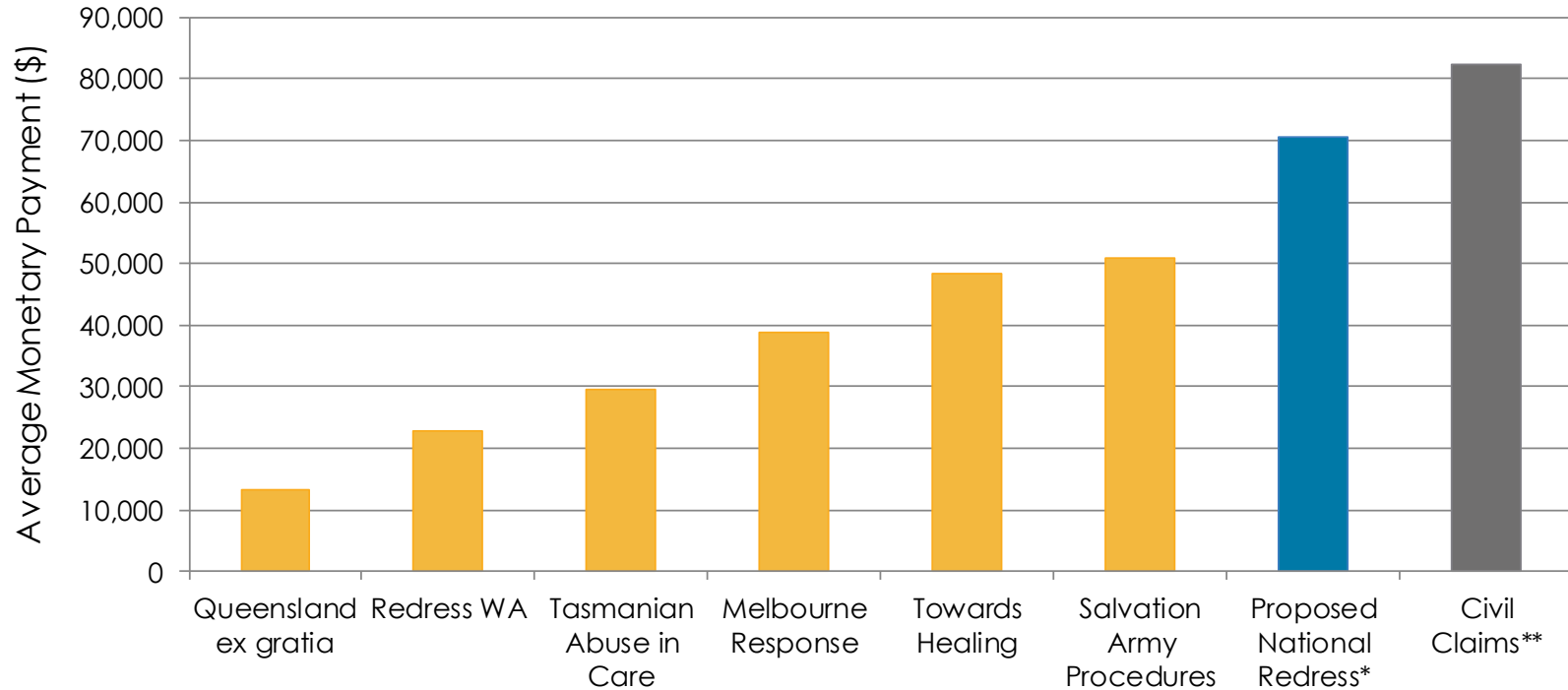
Trauma

Vindication
+ Justice

Redress vs Civil Litigation



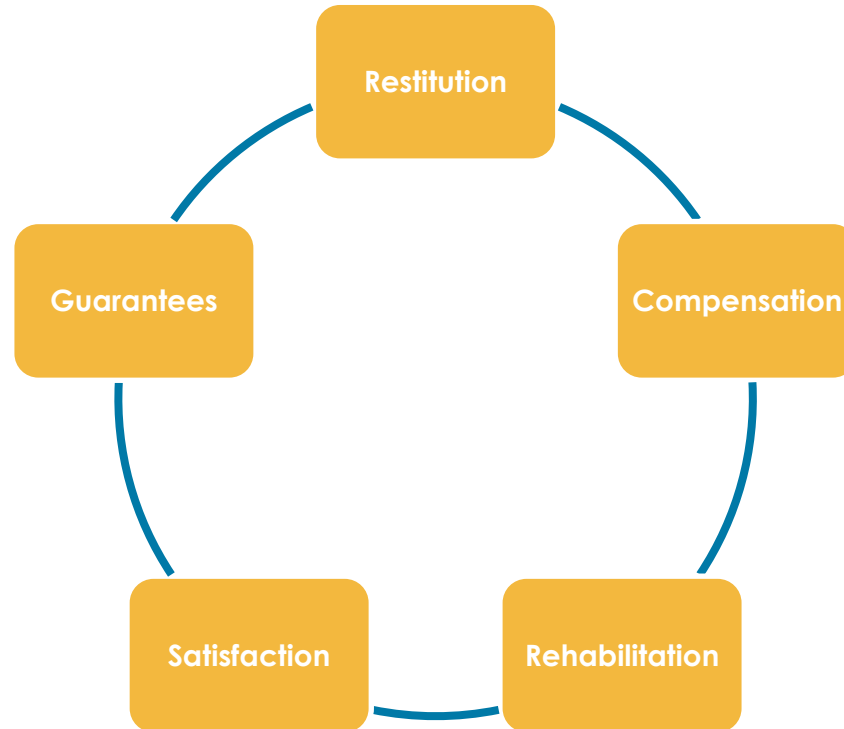
Redress vs Civil Litigation



*Proposed National Redress Scheme includes estimated average cost of lifetime counselling

**Civil claims include some Towards Healing and Melbourne Response claims covered by insurance

Functions and Elements of Redress



UN Van Boven
Principles relating
to violations of
human rights

Functions and Elements of Redress



Monetary
Payment



Counselling
and Care



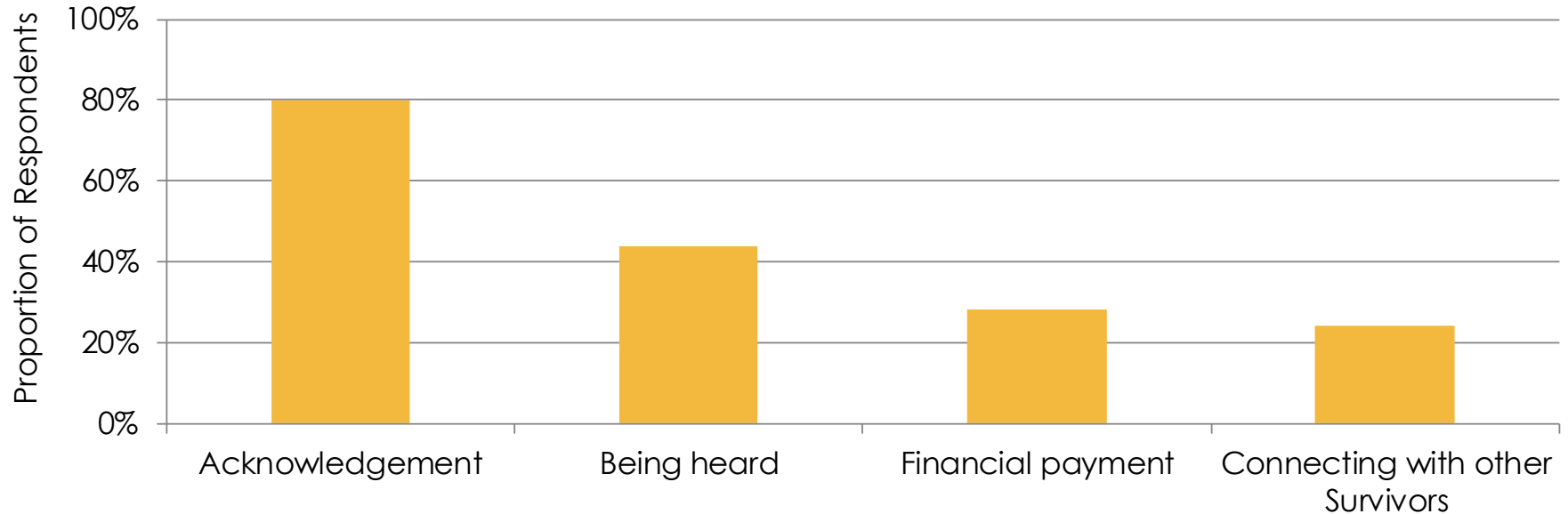
Apologies



Other Benefits
+ Support

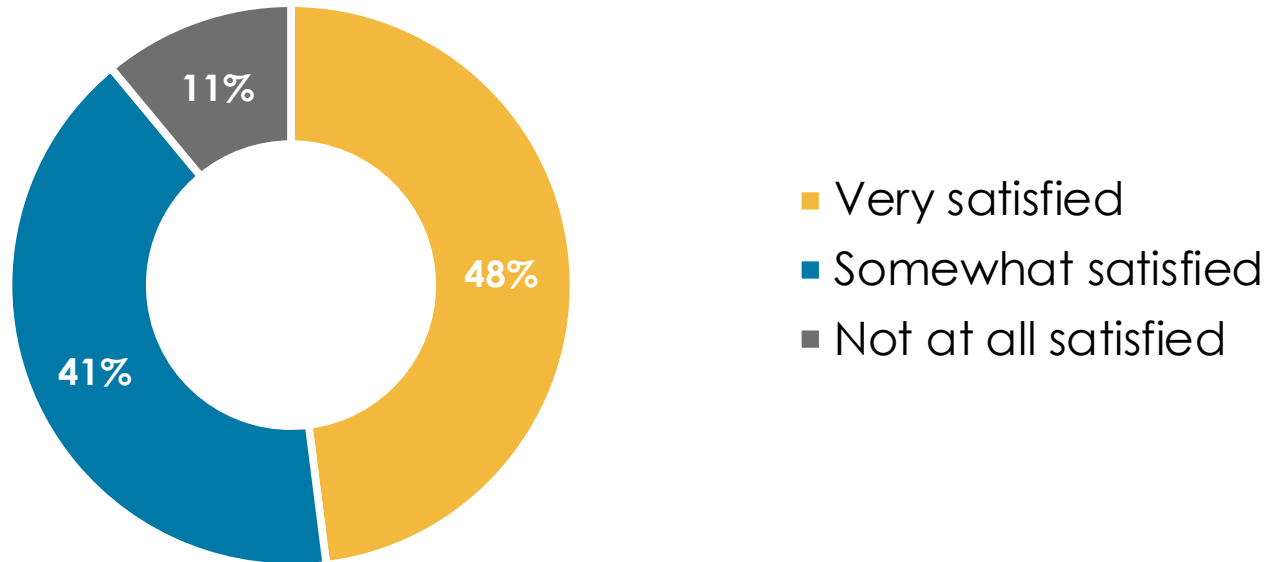
The Effectiveness of Redress

Most Important Elements of Package: Grandview Agreement



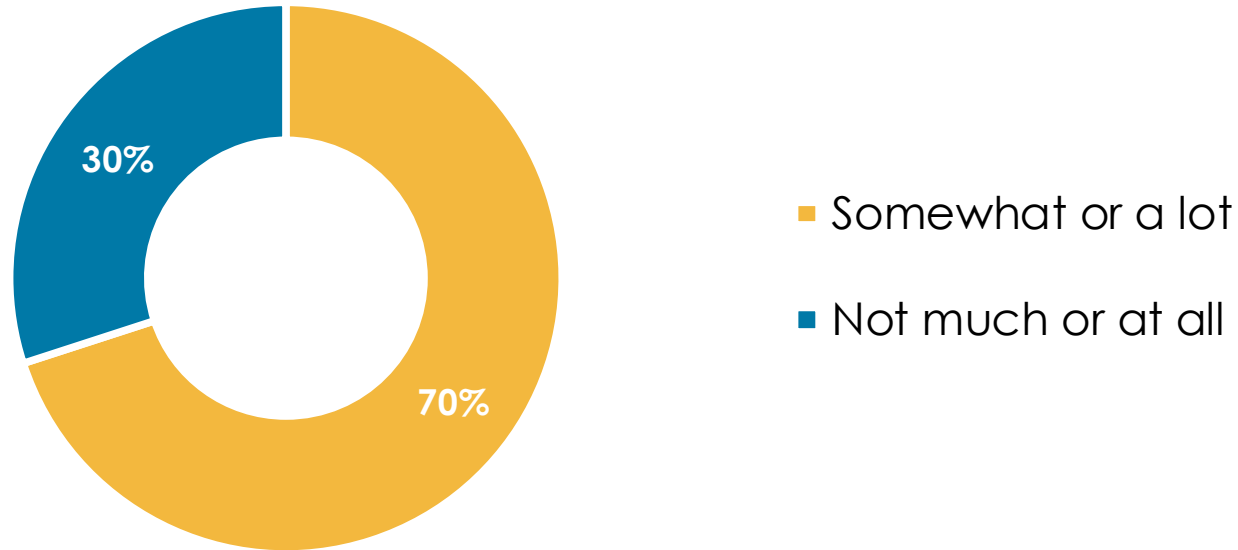
The Effectiveness of Redress

Satisfaction with Financial Award: Grandview



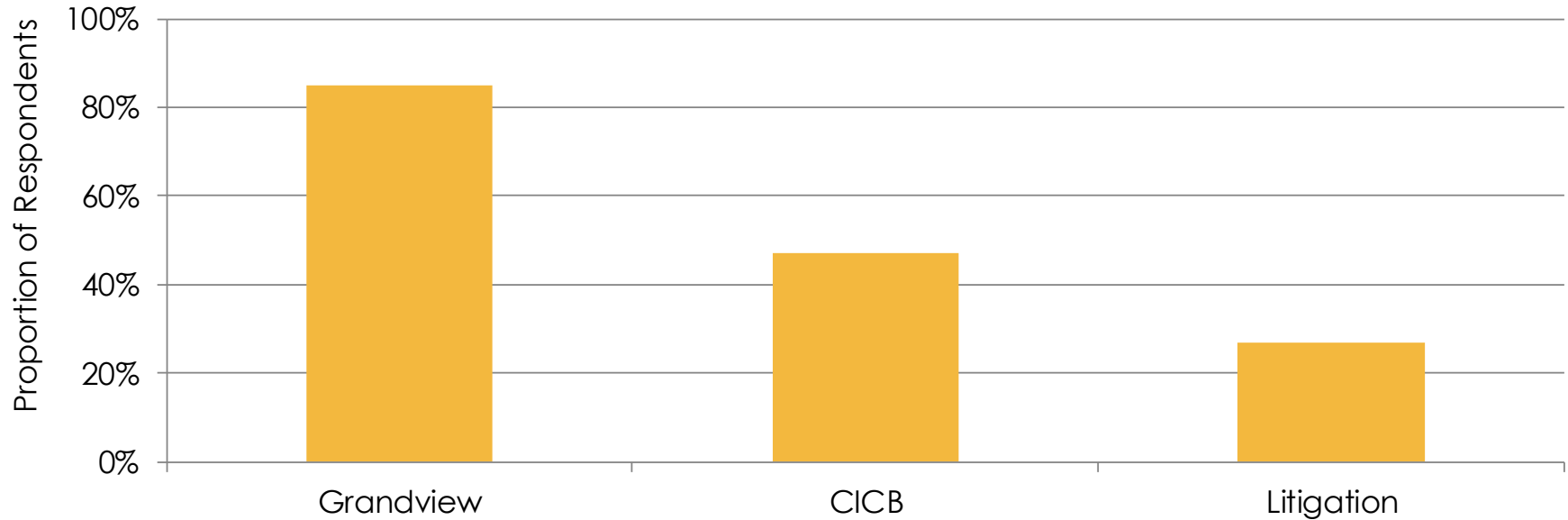
The Effectiveness of Redress

Contribution to Healing: Grandview



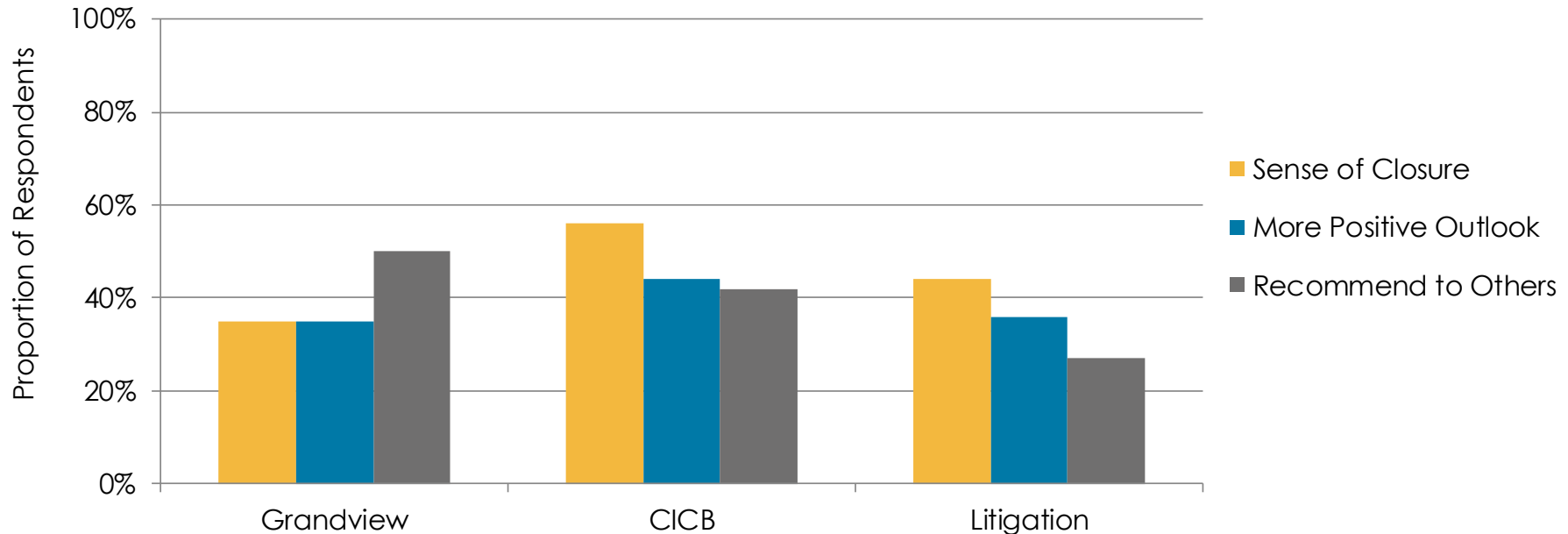
The Effectiveness of Redress

Approval of Adjudication Process

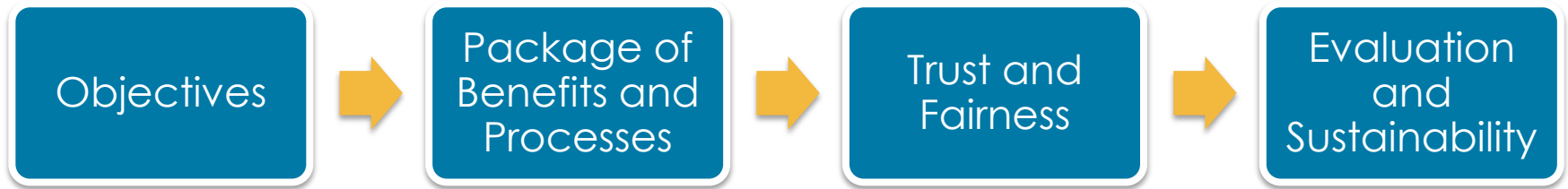


The Effectiveness of Redress

Outlook at End of Redress Process



Reflections and Conclusion



Redress can contribute to the healing of survivors of institutional child sexual abuse and has several key advantages to civil litigation